## REMARKS

Claims 1-52 are pending in this application, of which claims 1, 15, 21, 27, 40, 46, and 52 are independent. Favorable reconsideration of the office action mailed May 31, 2006 is respectfully requested in view of the foregoing amendments and the following remarks.

### 35 U.S.C. § 103(a) Rejections

Claims 1-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,509,070 ("Schull") in view of U.S. Patent No. 5,745,879 ("Wyman").

Schull discloses a system for encouraging distribution, registration, and purchase of free copyable software and other digital information which is accessed on a user's system via a programmer's program. In Schull, when a user attempts to use a locked advanced feature of a program on *any* content, the program checks for a valid feature-specific password. If the program locates the valid feature-specific password, the program unlocks that advanced feature and gives the user "full and unimpeded access" to that advanced feature. (col. 5, lines 44-47). Nothing in Schull provides any disclosure of receiving "application rights information including a first enabler that specifies to the software application an enablement of the first operation *only with respect to* a first content that is explicitly associated with the application rights information" as recited in amended claim 1.

In the Advisory Action mailed August 28, 2006, the examiner stated:

> ... Wyman discloses that of a management policy that indicates that the context defines how the licensed product is to be used, such as by a particular CPU, a certain user, or by a particular process, see column 6, lines 50-61 and column 11, lines 22-37. **This is explicit information related to the received content.**

The examiner appears to suggest that the "management policy" of Wyman is "related to" content in some manner. However, the cited portions of Wyman provide no support for this position. Both of the cited portions of Wyman are reproduced below.

> The context value defines the context in which the use is to be allowed, such as on a particular network, by a particular type of CPU, by a particular user name, by a particular process, etc. The duration value (used in conjunction with the style component)

concerns the time when the license units are to be deducted from the available pool of
units, whether at the time of request, after a use is completed, etc. A usage requirements
determination method may be specified to define or provide information concerning the
number of license units charged in response to a license request from a user node; for
example, some CPU platforms may be charged a larger number of license units than
others.  (Col. 6, lines 50-61).

The management policy occupies fields 43-46, and includes style, context,
duration and LURDM (license use requirements determination method), as will be
explained. The style field 43 specifies whether the licensed units are controlled by an
"allocative" style or "consumptive" style, or some other "private" algorithm, where styles
are ways used to account for the consumption or allocation of the units. The context field
44 specifies the location and environment in which product use or license management
occurs, i.e., a CPU or an individual user or a network, etc. Duration field 45 indicates
whether the license granted to a user is by assignment, by transaction, or immediate. The
LURDM field 46 indicates the license use requirements determination method, in some
cases using a license use requirements table (LURT) seen as field 47, as will be
described.  (Col. 11, lines 22-37).

The management policy provides various restrictions on the manner in which usage of a

particular licensed program may occur.  Once usage of a licensed program is permitted, all

operations of the licensed program are operable on any content at the requesting user node.

There is no notion in Wyman of operations of the licensed program being "disabled by default."

No portion of Wyman, cited by the examiner or otherwise, provides any disclosure of

"application rights information including a first enabler that specifies to the software application

an enablement of the first operation [that is disabled by default] *only with respect to* a first

content that is explicitly associated with the application rights information" as recited in

amended claim 1.

The applicant respectfully submits that Schull and Wyman, alone or in combination, do

not disclose all of the features of claim 1.  For at least these reasons, claim 1 is allowable over

Schull and Wyman.

The same passages of Schull were used to reject independent claims 15, 21, 27, 40, 46,

and 52 , which contain similar limitations. Therefore, independent claims 15, 21, 27, 40, 46, and

52 are allowable. All of the dependent claims are allowable for at least the same reasons set forth

with respect to the claims from which they depend.

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## Conclusion

For the foregoing reasons, the applicant submits that all the claims are in condition for allowance.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket No. 07844-518001.

Respectfully submitted,

Date: October 6, 2006

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